

## **2005 DRAFTING REQUEST**

### **Senate Resolution**

Received: **01/24/2006**

Received By: **smiller**

Wanted: **As time permits**

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Nathan Duerkop**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **Memorials - to Congress**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to:

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#### **Pre Topic:**

No specific pre topic given

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#### **Topic:**

Memorialize Congress: H.R. 3318 (rail freight)

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#### **Instructions:**

See Attached

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#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 01/24/2006			_____			
/P1		wjackson 01/24/2006		_____			
/1		wjackson 01/30/2006	rschluet 01/24/2006	_____	lemery 01/24/2006		
/2			chaugen	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			01/30/2006 _____		01/30/2006		
/3	smiller 02/06/2006	kfollett 02/06/2006	jfrantze 02/06/2006 _____		sbasford 02/06/2006	sbasford 02/14/2006	

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&lt;END&gt;

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01/30/2006 \_\_\_\_\_

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/P1		wjackson 01/24/2006					
/1		12 wj 1/30	rschluet 01/24/2006		lemery 01/24/2006		

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/?	smiller	1/12/06					
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FE Sent For:

<END>

## Miller, Steve

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**From:** Duerkop, Nathan  
**Sent:** Tuesday, January 24, 2006 1:18 PM  
**To:** Miller, Steve  
**Subject:** Sen Brown Resolution

**Attachments:** Possible Resolution.doc

Let me know if you have any questions. Thanks,

Nathan



4468

Possible  
Resolution.doc (28 KB)

Possible Resolution

Relating to encourage Congress to support H. R. 3318

Whereas, freight rail service in Wisconsin is vital to the health of our state's economy, with major impacts on agriculture, forest products, utilities and manufacturing, affecting consumer pocketbooks, as well as economic development and jobs, and;

Whereas, in 1980, when Congress deregulated most railroad activities, the United States had 40 major railroads, but today, there are only seven class I railroads and four of those control 90% of the nation's freight rail traffic, and;

Whereas, the concentration of rail service among fewer carriers has led to more "captive shippers," customers with one railroad as their only transportation option, and has recently led to dramatically increasing transportation costs for rail service to bulk commodity industries, and;

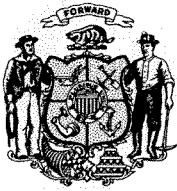
Whereas, the freight rail industry enjoys both freedom from extensive federal regulation and an exemption from the federal anti-trust laws, creating an uncompetitive environment that hampers the development of competitive forces that might restrain transportation price increases, and;

Whereas, electric power suppliers to Wisconsin consumers are a key component of a healthy Wisconsin economy, and heavily rely upon rail service for fuel delivery, and they are incurring dramatically increased rail service costs and a declining quality of rail service with utilities reporting near doubling of rail rates for moving coal to electric generators, and;

Whereas, higher rail rates and deteriorating service have greatly effected agriculture, the state's number one industry, by restraining the ability of our state's farmers to remain competitive in the global marketplace, and;

Whereas, Whereas, Wisconsin congressional Representative Mark Green has authored, and Rep. Tammy Baldwin has co-sponsored H.R. 3318, a bill to repeal the anti-trust exemption applicable to the freight rail industry, a privilege enjoyed by very few, if any, American companies,

Now therefore be it resolved by the Wisconsin Senate, that their members support legislation in Congress to repeal the current anti-trust exemption of the railroad industry from the nation's anti-trust laws in order to increase competition, and ultimately lower prices to benefit our Wisconsin economy and consumers.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-4468/P1

SRM:....rs

Wlj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**2005 SENATE RESOLUTION**

Today  
please

to adopt to support

1 **Relating to:** memorializing congress H. R. 3318 (rail freight) 6

2 Whereas freight rail service in Wisconsin is vital to the health of our state's  
3 economy, with major impacts on agriculture, forest products, utilities, and  
4 manufacturing, affecting consumer pocketbooks, as well as economic development  
5 and jobs; and

6 Whereas, in 1980, when Congress deregulated most railroad activities, the  
7 United States had 40 major railroads, but today, there are only 7 class I railroads and  
8 4 of those control 90 percent of the nation's freight rail traffic; and

9 Whereas, the concentration of rail service among fewer carriers has led to more  
10 "captive shippers," customers with one railroad as their only transportation option,  
11 and has recently led to dramatically increasing transportation costs for rail service  
12 to bulk commodity industries; and

13 Whereas, the freight rail industry enjoys both freedom from extensive federal  
14 regulation and an exemption from the federal anti-trust laws, creating an

1 uncompetitive environment that hampers the development of competitive forces  
2 that might restrain transportation price increases; and

3 Whereas, electric power suppliers to Wisconsin consumers are a key component  
4 of a healthy Wisconsin economy, and heavily rely upon rail service for fuel delivery,  
5 and they are incurring dramatically increased rail service costs and a declining  
6 quality of rail service with utilities reporting near doubling of rail rates for moving  
7 coal to electric generators; and

8 Whereas, higher rail rates and deteriorating service have greatly affected  
9 agriculture, the state's number one industry, by restraining the ability of our state's  
10 farmers to remain competitive in the global marketplace; and

11 Whereas, Wisconsin ~~congressional~~ Representative Mark Green has authored,  
12 and Representative Tammy Baldwin has cosponsored H.R. 3318, a bill to repeal the  
13 anti-trust exemption applicable to the freight rail industry, a privilege enjoyed by  
14 very few, if any, American companies; and, therefore be it

15 ***Resolved by the senate, That*** the <sup>members of the</sup> Wisconsin senate, ~~that their members~~  
16 support legislation in congress to repeal the current anti-trust exemption of the  
17 railroad industry from the nation's anti-trust laws in order to increase competition,  
18 and ultimately lower prices to benefit our Wisconsin economy and consumers.

19 (END)

**Miller, Steve**

---

**From:** Duerkop, Nathan  
**Sent:** Friday, January 27, 2006 10:14 AM  
**To:** Miller, Steve  
**Subject:** Submitted: LRB 05-4468/1 Topic: Memorialize Congress: H.R. 3318 (rail freight)?body=

Steve,

Would it be any problem to rewrite line one of the first page to read "...to support H.R. 3318 'Railroad Antitrust and Competition Enhancement Act'."

That's its House of Reps title and seems more descriptive. Let me know if you have questions about this. Thanks,

*Nathan Duerkop*

Office of Senator Ron Brown  
Room 409 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707  
Phone (608) 266-8546  
Fax (608) 267-2871



State of Wisconsin  
2005 - 2006 LEGISLATURE

RMNR

LRB-4468/1

SRM:wlj:rsz

↑  
stays

## 2005 SENATE RESOLUTION

the Railroad Antitrust and  
Competition Enhancement Act

Today  
if  
possible

1 **Relating to:** memorializing Congress to support H. R. 3318 (rail freight)

2 Whereas, freight rail service in Wisconsin is vital to the health of our state's  
3 economy, with major impacts on agriculture, forest products, utilities, and  
4 manufacturing, affecting consumer pocketbooks, as well as economic development  
5 and jobs; and

6 Whereas, in 1980, when Congress deregulated most railroad activities, the  
7 United States had 40 major railroads, but today there are only 7 Class I railroads and  
8 4 of those control 90 percent of the nation's freight rail traffic; and

9 Whereas, the concentration of rail service among fewer carriers has led to more  
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13 Whereas, the freight rail industry enjoys both freedom from extensive federal  
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6 quality of rail service with utilities reporting near doubling of rail rates for moving  
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8 Whereas, higher rail rates and deteriorating service have greatly affected  
9 agriculture, the state's number one industry, by restraining the ability of our state's  
10 farmers to remain competitive in the global marketplace; and

11 Whereas, Wisconsin Representative Mark Green has authored, and Wisconsin  
12 Representative Tammy Baldwin has cosponsored, H.R. 3318, a bill to repeal the  
13 antitrust exemption applicable to the freight rail industry, a privilege enjoyed by  
14 very few, if any, American companies; now, therefore, be it

15 ***Resolved by the senate, That*** the members of the Wisconsin senate support  
16 legislation in Congress to repeal the current antitrust exemption of the railroad  
17 industry from the nation's antitrust laws in order to increase competition and  
18 ultimately lower prices to benefit our Wisconsin economy and consumers.

19 (END)



## Miller, Steve

---

**From:** Duerkop, Nathan  
**Sent:** Monday, February 06, 2006 12:07 PM  
**To:** Miller, Steve  
**Subject:** Submitted: LRB 05-4468/1 Topic: Memorialize Congress: H.R. 3318 (rail freight)?body=

Steve,

Unfortunately, I came up with another change needed on this draft. In the final paragraph before the "Resolved by the senate", please change "a privilege enjoyed by very few, if any, American companies;" to "a privilege enjoyed by very few American businesses;". Thanks,

*Nathan Duerkop*

Office of Senator Ron Brown  
Room 409 South, State Capitol  
P.O. Box 7882  
Madison, WI 53707  
Phone (608) 266-8546  
Fax (608) 267-2871



## 2005 SENATE RESOLUTION

1     **Relating to:** memorializing Congress to support H. R. 3318, the Railroad Antitrust  
2             and Competition Enhancement Act.

3             Whereas, freight rail service in Wisconsin is vital to the health of our state's  
4     economy, with major impacts on agriculture, forest products, utilities, and  
5     manufacturing, affecting consumer pocketbooks, as well as economic development  
6     and jobs; and

7             Whereas, in 1980, when Congress deregulated most railroad activities, the  
8     United States had 40 major railroads, but today there are only 7 Class I railroads and  
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15 ***Resolved by the senate, That*** the members of the Wisconsin senate support  
16 legislation in Congress to repeal the current antitrust exemption of the railroad  
17 industry from the nation's antitrust laws in order to increase competition and  
18 ultimately lower prices to benefit our Wisconsin economy and consumers.

19 (END)

RMR  
SRM

**Northrop, Lori**

---

**From:** Duerkop, Nathan

**Sent:** Tuesday, February 14, 2006 9:42 AM

**To:** LRB.Legal

**Subject:** Draft Review: LRB 05-4468/3 Topic: Memorialize Congress: H.R. 3318 (rail freight)

Please Jacket LRB 05-4468/3 for the SENATE.